

# School Council Records Fact Sheet – 2001

## **What does the law say about school council record keeping?**

You can read the actual text of the law regarding record-keeping requirements for school councils in KRS 160.345 (3) (h). Check your local board policy for record keeping requirements for your school council:

<http://162.114.4.13/krs/160-00/345.pdf>

## **What did the 2001 Attorney General opinion say about records from SBDM elections?**

The records for teacher and parent elections are designated as vital records must be kept for a 3-year period in the school. To read the text of the opinion, you can view or download it from the OAG Open Meetings and Records web page:

<http://www.law.state.ky.us/civil/orom/01ord94.htm>

## **Who is the custodian of records for the school council?**

The attorney general ruled in 01-ORD-94 (May, 2001) that the principal is the custodian of records for teacher and parent SBDM elections. After elections are over, official records from the elections must be given to the principal, who is responsible for maintaining them for a 3-year period in the school.

<http://www.law.state.ky.us/civil/orom/01ord94.htm>

## **What days are included in the three (3) business day response requirement?**

The attorney general ruled in 01-ORD-94 (May, 2001) that the only days that are excluded are legal holidays and weekends. As a result, the fact that a school may be closed over the winter holidays or spring break and no one is in the office does not prevent the clock from running on the three-day response requirement.

<http://www.law.state.ky.us/civil/orom/01ord94.htm>

## **Which SBDM records are on the Records Retention Schedule with the State Archives and Records Commission?**

The records retention schedule for Kentucky public schools is online on the Public Records web site. The direct link to the PDF version of the document is included here:

[http://www.kdla.state.ky.us/pubrec/PSM\\_schedules.pdf](http://www.kdla.state.ky.us/pubrec/PSM_schedules.pdf) .

There are 19 different types of records generated by or through SBDM councils that are identified as vital records. To view the specific pages containing that information, go to the link above, scroll down through the table of contents to School and Preschools, then to School-Based Decision Making. The SBDM information is on pages 68-69, and can be printed from the web page.

Records that are identified as Permanent, Vital, or Indefinite include: council meeting minutes, committee meeting minutes, teacher and parent election records, council/committee meeting announcements, council/committee meeting notification, official and general council correspondence, council budget allocations and budge expenditure reports, council bylaws and policies, consolidated plans, SBDM policy appeals, requests for waiver of board policy by a school council, requests for professional development, annual school report cards, annual financial audit reports.